

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JEFFREY DOUP,

Petitioner,

v.

CASE NO. 2:04-cv-474

JUDGE FROST

MAGISTRATE JUDGE KEMP

PAT HURLEY, Warden,

Respondent.

OPINION AND ORDER

On November 14, 2005, the Magistrate Judge issued a *Report and Recommendation* recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Petitioner has filed objections to the *Report and Recommendation*. Petitioner objects to all of the Magistrate Judge's conclusions. He again raises all of the same arguments that were previously presented.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. For the reasons discussed in the Magistrate Judge's *Report and Recommendation*, the Court overrules petitioner's objections.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

/s/ Gregory L. Frost

GREGORY L. FROST
United States District Judge